UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA

Essling's Homes Plus, Inc., a Minnesota corporation, d/b/a Scenic Hills Alternative Care,

Civil No. 04-1115 (MJD/JGL)

vs.

ORDER FOR DISMISSAL WITH PREJUDICE

City of Saint Paul, a Minnesota corporation,

Defendant.

ORDER

Based upon the foregoing stipulation of counsel,

IT IS HEREBY ORDERED that the above entitled matter is dismissed with prejudice as set forth in the Stipulation above.

Dated: May 31, 2005 s/ Michael J. Davis

The Honorable Michael J. Davis

United States Judge